

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

OCT - 6 2005

FILED  
CLERK'S OFFICE

*DOCKET NO. 1657*

***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***  
***IN RE VIOXX PRODUCTS LIABILITY LITIGATION***

***(SEE ATTACHED SCHEDULE)***

***CONDITIONAL TRANSFER ORDER (CTO-26)***


On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,668 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

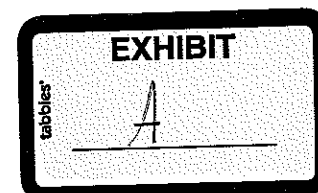
It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Michael J. Beck  
Clerk of the Panel



**SCHEDULE CTO-26 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
<b>ALABAMA MIDDLE</b>	
ALM 2 05-880	Theatus Rawdon Beaty v. Merck & Co., Inc., et al.
ALM 3 05-849	Ruth Baldwin, etc. v. Merck & Co., Inc., et al.
<b>ALABAMA SOUTHERN</b>	
ALS 1 05-525	Hazel C Howell v. Merck & Co., Inc., et al.
<b>CALIFORNIA CENTRAL</b>	
CAC 2 05-6560	Ron Clausen, et al. v. Merck & Co., Inc.
<b>CALIFORNIA NORTHERN</b>	
CAN 3 05-3656	Kenneth Madfes, et al. v. Merck & Co., Inc.
<b>FLORIDA SOUTHERN</b>	
FLS 1 05-22503	Ronald Strauss, et al. v. Merck & Co., Inc.
<b>IDAHO</b>	
ID 2 05-361	Betty Carolyn Struckmeyer, et al. v. Merck & Co., Inc.
<b>ILLINOIS CENTRAL</b>	
ILC 2 05-2202	Charles Cramer, et al. v. Merck & Co., Inc.
<b>ILLINOIS NORTHERN</b>	
ILN 1 05-5088	Freddie S. Gilmer, Sr. v. Merck & Co., Inc.
ILN 1 05-5136	Wanda Hill, etc. v. Merck & Co., Inc.
ILN 1 05-5198	Delores M Gough, et al. v. Merck & Co., Inc.
ILN 3 05-50178	Rosetta Bryant v. Merck & Co., Inc.
<b>ILLINOIS SOUTHERN</b>	
ILS 4 05-4170	Gary Grizzell v. Merck & Co., Inc., et al.
<b>INDIANA NORTHERN</b>	
INN 3 05-567	Barbara M. Lewallen, et al. v. Merck & Co., Inc.
INN 3 05-568	Billy J. Milan, et al. v. Merck & Co., Inc.
INN 3 05-573	Deborah Ann Snyder, et al. v. Merck & Co., Inc.
<b>KENTUCKY EASTERN</b>	
KYE 2 05-170	Joan Ann Muth, et al. v. Merck & Co., Inc.
KYE 2 05-172	Edward Berkshire, et al. v. Merck & Co., Inc.
KYE 2 05-173	Linda K. Stuck, et al. v. Merck & Co., Inc.
KYE 2 05-174	Carole L. Warner v. Merck & Co., Inc.
KYE 5 05-378	Velma J. Miller, etc. v. Merck & Co., Inc.
<b>KENTUCKY WESTERN</b>	
KYW 4 05-133	Roger D. Hayse, et al. v. Merck & Co., Inc.
<b>LOUISIANA MIDDLE</b>	
LAM 3 05-1059	James B. Arnold, et al. v. Merck & Co., Inc.

## SCHEDULE CTO-26 TAG-ALONG ACTIONS (MDL-1657)

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DIST. DIV. C.A. #CASE CAPTION

## MINNESOTA

MN 0 05-2116  
 MN 0 05-2117

Darlene J. Shaver v. Merck & Co., Inc.  
 Carolyn L. Williams v. Merck & Co., Inc.

## MISSOURI EASTERN

MOE 4 05-1353  
 MOE 4 05-1354  
 MOE 4 05-1373  
 MOE 4 05-1378  
 MOE 4 05-1379  
 MOE 4 05-1380  
 MOE 4 05-1463  
 MOE 4 05-1465  
 MOE 4 05-1466  
 MOE 4 05-1482

Bertha Marie Mitchell v. Merck & Co., Inc.  
 Julie Thompson v. Merck & Co., Inc.  
 Thelma Reed, et al. v. Merck & Co., Inc.  
 Mollie Knox v. Merck & Co., Inc.  
 Janet Lemmon v. Merck & Co., Inc.  
 Sharion Mitchell v. Merck & Co., Inc.  
 Evelyn Light, et al. v. Merck & Co., Inc., et al.  
 Fulton Lacy, et al. v. Merck & Co., Inc., et al.  
 Roberta Sterling, et al. v. Merck & Co., Inc., et al.  
 John G. Gilmore v. Merck & Co., Inc., et al.

## MISSOURI WESTERN

MOW 2 05-4274  
 MOW 2 05-4283  
 MOW 4 05-763  
 MOW 4 05-787  
 MOW 4 05-823  
 MOW 4 05-824  
 MOW 4 05-825  
 MOW 4 05-831  
 MOW 4 05-841  
 MOW 4 05-842  
 MOW 4 05-843  
 MOW 4 05-844  
 MOW 4 05-845  
 MOW 5 05-6092

Ruby Frances Smith, et al. v. Merck & Co., Inc.  
 Glenda Meysami, et al. v. Merck & Co., Inc.  
 Betty White v. Merck & Co., Inc.  
 Robert H. Cotter, etc. v. Merck & Co., Inc.  
 Jackie Knott, et al. v. Merck & Co., Inc.  
 Hugh Graff, et al. v. Merck & Co., Inc.  
 Mary Withers, et al. v. Merck & Co., Inc.  
 Mary Plubell v. Merck & Co., Inc.  
 Donna Smith, et al. v. Merck & Co., Inc.  
 Ronald Yahne, et al. v. Merck & Co., Inc.  
 Beverly Paith v. Merck & Co., Inc.  
 Gerald Holcomb, et al. v. Merck & Co., Inc.  
 George Peters, et al. v. Merck & Co., Inc.  
 Louisa Occhipinto v. Merck & Co., Inc.

## MISSISSIPPI NORTHERN

MSN 3 05-110

James R. Cook, Jr., et al. v. Merck & Co., Inc.

## MONTANA

MT 9 05-146

Gary Hoekman v. Merck & Co., Inc., et al.

## NORTH CAROLINA EASTERN

NCE 7 05-160  
 NCE 7 05-161

Eugene Ulysses Taylor, Jr. v. Merck & Co., Inc.  
 Bobby Gene Brook v. Merck & Co., Inc.

## NEW HAMPSHIRE

NH 1 05-317

Todd Rohr v. Merck & Co., Inc.

## NEW YORK EASTERN

NYE 1 05-4091  
 NYE 1 05-4284  
 NYE 1 05-4303  
 NYE 1 05-4304

Ruth Boyd, et al. v. Merck & Co., Inc.  
 David Goldner, et al. v. Shelter Rock Orthopedic Group, P.C., et al.  
 Jean Claude Nathan v. Merck & Co., Inc.  
 Anthony Gralto v. Merck & Co., Inc.

## NEW YORK SOUTHERN

NYS 1 05-7999

Millie Pitchford v. Merck & Co., Inc.

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
<b>NEW YORK WESTERN</b>	
NYW 6 05-6475	Brian North v. Merck & Co., Inc., et al.
<b>OHIO NORTHERN</b>	
OHN 1 05-2136	Charlotte Mahan v. Merck & Co., Inc.
<b>OHIO SOUTHERN</b>	
OHS 2 05-834	Karen Smith, etc. v. Merck & Co., Inc.
<b>OKLAHOMA NORTHERN</b>	
OKN 4 05-492	Redina Darlene Sewell v. Merck & Co., Inc.
<b>OKLAHOMA WESTERN</b>	
OKW 5 05-1056	Betty Bridges v. Merck & Co., Inc.
OKW 5 05-1057	Joyce Zind v. Merck & Co., Inc.
OKW 5 05-1059	Phyllis Miller v. Merck & Co., Inc.
OKW 5 05-1079	George Seminoff, et al. v. Merck & Co., Inc.
OKW 5 05-1080	Jackie Harper, etc v. Merck & Co., Inc.
<b>PENNSYLVANIA EASTERN</b>	
PAE 2 05-3785	James Schneller, etc v. Merck & Co., Inc.
PAE 2 05-4577	Dr. Donald Dworken v. Merck & Co., Inc., et al.
PAE 2 05-4578	Norman B. LaChance, et al. v. Merck & Co., Inc., et al.
PAE 2 05-4713	Pauline M. Dixon v. Merck & Co., Inc.
PAE 2 05-4740	Sharon Kravet, etc v. Merck & Co., Inc., et al.
PAE 2 05-4825	Kirkwood Dormeyer v. Merck & Co., Inc., et al.
PAE 2 05-4840	Karen Olson, et al. v. Merck & Co., Inc., et al.
PAE 2 05-4917	Althea L. Newman, et al. v. Merck & Co., et al.
PAE 2 05-4924	Thomas N. Pafford, et al. v. Merck & Co., Inc., et al.
<b>SOUTH DAKOTA</b>	
SD 1 05-1038	Blanche Lewandowski v. Merck & Co., Inc.
SD 1 05-1039	Chuck Davis, Sr. v. Merck & Co., Inc.
<b>TENNESSEE EASTERN</b>	
TNE 1 05-231	Kenneth Gregory v. Merck & Co., Inc.
TNE 1 05-232	Frieda Thompson v. Merck & Co., Inc.
TNE 1 05-233	Dorothy P. Price, et al. v. Merck & Co., Inc.
TNE 1 05-252	James R. Clayton v. Merck & Co., Inc.
TNE 1 05-253	James D. Williams v. Merck & Co., Inc.
TNE 2 05-222	Charlotte R. Young v. Merck & Co., Inc.
TNE 2 05-223	Michael B. Kelly, et al. v. Merck & Co., Inc.
TNE 2 05-232	James F. Harper, et al. v. Merck & Co., Inc.
TNE 3 05-430	Betty S. Hendrickson v. Merck & Co., Inc.
TNE 4 05-63	James Myers v. Merck & Co., Inc.
TNE 4 05-64	Thomas Marshall, et al. v. Merck & Co., Inc.
<b>TENNESSEE MIDDLE</b>	
TNM 1 05-62	Mariane Marks, etc. v. Merck & Co., Inc.
TNM 3 05-663	Beverly Carole Maxwell, et al. v. Merck & Co., Inc.
TNM 3 05-689	Robert Fontaine Booher, et al. v. Merck & Co., Inc.

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DIST. DIV. C.A. #CASE CAPTION

## TENNESSEE WESTERN

TNW 1 05-1240	Barbara Jean Snider, et al. v. Merck & Co., Inc., et al.
TNW 1 05-1241	James H. Wilbanks, et al. v. Merck & Co., Inc., et al.
TNW 1 05-1242	Linda Jones, etc. v. Merck & Co., Inc.
TNW 1 05-1243	Carolyn Butler, etc. v. Merck & Co., Inc., et al.
TNW 1 05-1251	Brenda J. Smith, etc. v. Merck & Co., Inc.
TNW 1 05-1252	Sally T. Hatch, et al. v. Merck & Co., Inc., et al.
TNW 1 05-1254	Mary L. Woods v. Merck & Co., Inc.
TNW 1 05-1255	Matha Paslay v. Merck & Co., Inc.
TNW 2 05-2618	Robert Henry Russell, et al. v. Merck & Co., Inc.
TNW 2 05-2658	Ola Mae Parker v. Merck & Co., Inc.
TNW 2 05-2659	George Jividen v. Merck & Co., Inc.
TNW 2 05-2660	Virgie E. Spraggins v. Merck & Co., Inc.

## TEXAS EASTERN

TXE 1 05-611	Nadia Jovancicevic, et al. v. Merck & Co., Inc.
TXE 1 05-640	Jaqueline M. Pugh v. Merck & Co., Inc.
TXE 2 05-429	Marcia King, etc. v. Merck & Co., Inc.

## TEXAS NORTHERN

TXN 2 05-204	Dora Mae O'Hair Brown, et al. v. Merck & Co., Inc.
TXN 3 05-1827	Margaret Morris v. Merck & Co., Inc.
TXN 4 05-543	John Dahl v. Merck & Co., Inc.

## TEXAS SOUTHERN

TXS 2 05-445	Antonio Salazar, et al. v. Merck & Co., Inc., et al.
TXS 2 05-450	Ignacio Valdez v. Merck & Co., Inc.
TXS 2 05-466	Estella Torres v. Merck & Co., Inc.
TXS 2 05-467	Norma L. Balderas v. Merck & Co., Inc.
TXS 2 05-468	Mary Alice Terrell v. Merck & Co., Inc.

## TEXAS WESTERN

TXW 1 05-688	Mary E. Brewer, et al. v. Merck & Co., Inc.
TXW 1 05-689	Min Han, et al. v. Merck & Co., Inc.
TXW 1 05-690	Joseph Murray, etc. v. Merck & Co., Inc.
TXW 1 05-691	Clyde Crooks, Jr., et al. v. Merck & Co., Inc.
TXW 1 05-744	Oscar Williams, et al. v. Merck & Co., Inc.
TXW 1 05-745	Jane M. Thompson v. Merck & Co., Inc.

## UTAH

UT 2 05-724	Torgunn Rawle, et al. v. Merck & Co., Inc.
UT 2 05-731	Merrill Adair, et al. v. Merck & Co., Inc.
UT 2 05-762	Bjorn Ablad, et al. v. Merck & Co., Inc.

## WISCONSIN WESTERN

WIW 3 05-438	James Petrsek v. Merck & Co., Inc.
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## WEST VIRGINIA SOUTHERN

WVS 2 05-748	Paula J. Goforth, etc. v. Merck & Co., Inc.
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